

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Magistrate Docket No. 08 MJ 1114

Plaintiff,

v.

Omar URIBE-Vasquez,

Defendant

COMPLAINT FOR VIOLATION OF:Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

DEPUTY

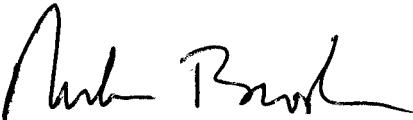
The undersigned complainant, being duly sworn, states:

On or about **April 9, 2008** within the Southern District of California, defendant, **Omar URIBE-Vasquez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 11th DAY OF APRIL, 2008


Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Omar URIBE-Vasquez**PROBABLE CAUSE STATEMENT**

On April 09, 2008 at approximately 4:45 P.M., Border Patrol Agent G. W. Harkins was working assigned line watch duties in the Imperial Beach area of operations. While on patrol, Agent Harkins found footprints for five individuals crossing a road in an area known as the "Five Mesa." This area is located approximately 50 yards north of the U.S./Mexico International Border, and five miles west of the San Ysidro, California Port of Entry.

Agent Harkins followed the footprints where he discovered five individuals trying to conceal themselves in a bush. Agent Harkins identified himself as a Border Patrol Agent and questioned each individual as to his citizenship. All of the individuals admitted to being citizens and nationals of Mexico not in possession of any immigration documents which would allow them to enter or remain in the United States legally. All five, including one later identified as the defendant **Omar URIBE-Vasquez** were arrested and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on July 02, 2007** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. He also stated he was going to San Diego, California to work.